



CRL OP(MD). No.635 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.635 of 2024

Sathiyathan @ Joseph

... Petitioner / Accused No.1

Vs

The Inspector of Police,
Koodakovil Police Station,
Madurai District.
Crime No.197 of 2023.

... Respondent/Complainant

For Petitioner : Mr.KARTHICKKUMAR, Advocate.

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- To enlarge the petitioner on bail in Crime No.197 of 2023 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner / Accused No.1 who was arrested and remanded to judicial custody from 28.12.2023 for the offence punishable under Sections 294(b), 323, 324, 506(2), 109 and 307 of I.P.C. in Crime No.197 of 2023, seeks bail.

2. The case of the prosecution is that due to civil dispute, the petitioner along



CRL OP(MD). No.635 of 2024

with other accused persons attacked the defacto complainant's son and abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is willing to abide by any conditions imposed by this Court and accordingly, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the injured has been discharged from the Hospital.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumangalam and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



CRL OP(MD). No.635 of 2024

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(b) the petitioner is directed to appear before the respondent Police as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/01/2024

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12/01/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.



CRL OP(MD). No.635 of 2024

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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4 THE INSPECTOR OF POLICE, KODAKOVIL POLICE STATION,
MADURAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.635 of 2024
Date :12/01/2024

SA//SAR-(12.01.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
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